

**MEMO ENDORSED**

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September 1, 2006

BY FAX

The Honorable James C. Francis IV
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street - Room 1960
New York, New York 10007-1312

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DOCKET
IN BOTH
CASES

Re: Cooper, et al. v. The City of New York, et al. (05 CV 7576 (KMK)(JCF))
Emmer, et al. v. The City of New York, et al. (05 CV 9993 (KMK)(JCF))

Dear Judge Francis:

On behalf of plaintiffs and defendants, I write to request an enlargement of time. The Case Management Orders in these actions provide that all depositions of fact witnesses shall have been noticed by today, September 1, 2006. To date, the parties have exchanged written requests for discovery including interrogatories and document requests. Defendants have produced a large volume of documents as well as consolidated witnesses for deposition. The consolidated witness depositions are continuing. I have consulted with plaintiffs' counsel, Earl Ward, and both sides need additional time to identify witnesses and notice depositions in these cases. Accordingly, plaintiffs and defendants jointly request that the Court grant a 4-month extension on the remaining deadlines in the CMOs in these cases. If this meets with your approval, would you please "so order" it? Thank you.

Very truly yours,

James Mirro

cc: Earl Ward (by fax)

9/5/06
Application granted.
SO ORDERED.
James C. Francis IV
VSMJ